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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: ASBESTOS PRODUCTS
LIABILITY LITIGATION (No. IV)

JACK B. HOWELL

v.

CSX TRANSPORTATION, INC., et al.

: Consolidated Under
: MDL DOCKET NO. 875

:
: E.D. PA Civil Action No.
: 09-cv-92610

:
: Transferor Court:
: N.D. Georgia
: 94-CV-00120

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ORDER

AND NOW, this 2nd day of April, 2012,

upon consideration of the pleadings and the record herein, and after review of the Report and Recommendation of M. Faith Angell, United States Magistrate Judge, it is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED AND ADOPTED**.
2. Defendant CSX Transportation's Motion to Exclude the Testimony of Dr. Arthur Frank and for Summary Judgment for Lack of Competent Evidence of Injury and Causation [Docket #20] is **DENIED AND DISMISSED**.¹

BY THE COURT:



EDUARDO C. ROBRENO, J.

¹ No objections had been filed within the fourteen-day limit in Fed. R. Civ. P. 72(b)(2).